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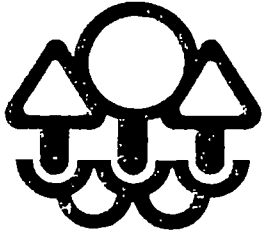
PIG'S EYE LANDFILL
RECORDS COMPILATIONS
HIGHLAND PARK SANITATION

US EPA RECORDS CENTER REGION 5



557187

DCN	DATE	AUTHOR	RECIPIENT	TITLE	SUMMARY	PRPS
01807	01/09/91	MPCA	HIGHLA	MPCA INFORMATION REQUEST LETTER REGARDING PIG'S EYE	A MPCA INFORMATION REQUEST LETTER WHICH REQUIRES HAWASY TO PROVIDE INFORMATION REGARDING PIG'S EYE AND FISH HATCHERY'S DUMP.	HIGHLA
02097	03/27/91	CATHY O'CONNELL, MPCA	HIGHLA	MPCA FOLLOWUP LETTER	A FOLLOW-UP LETTER TO HIGHLA REQUESTING HIGHLA COMPLY WITH MINNESOTA ENVIRONMENTAL RESPONSE AND LIABILITY ACT AND RESPOND TO MPCA'S REQUEST FOR INFORMATION QUESTIONAIRE CONCERNING PIG'S EYE.	HIGHLA



Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155

Telephone (612) 296-6300

01807



CERTIFIED MAIL
RETURN RECEIPT REQUESTED

January 9, 1991

Highland Park Sanitation
1811 Century Avenue
Newport, Minnesota 55055

Dear Sir/Madam:

RE: Requirement To Provide Information
Pig's Eye Dump/Fish Hatcheries Dump

Ground Water & Solid Waste Division Site Response Section
File Name _____
Sub File Name _____
Initial _____

The Minnesota Pollution Control Agency (MPCA) staff has identified a release or threatened release of hazardous substances or pollutants or contaminants at the Pig's Eye Dump/Fish Hatcheries Dump, located in Ramsey County, Minnesota. The MPCA staff is in the process of identifying persons who may be responsible for this release or threatened release.

The MPCA staff has reason to believe that Highland Park Sanitation may have information which is relevant to the release or threatened release from the Pig's Eye Dump/Fish Hatcheries Dump. To facilitate the agency's investigation, the MPCA staff is sending you the enclosed Requirement To Provide Information. As the recipient of this Requirement To Provide Information, you have the legal duty under state law to provide information requested by the MPCA which is relevant to the release or threatened release of hazardous substances or pollutants or contaminants. Information obtained in response to the Requirement To Provide Information will be used by MPCA staff in carrying out their responsibilities, including the identification of responsible persons for the release or threatened release. This is a first Questionnaire; in the future it may be necessary to supplement the information available to MPCA with additional Questionnaires.

Since obtaining this information is an important initial step in the process, your response to the enclosed Questionnaire needs to be submitted within thirty (30) days from the date of the Requirement To Provide Information. The information in your response is vital and will allow us to protect the public health and the environment. Therefore, failure to provide timely, complete and accurate answers to the Questionnaire may result in legal actions by the state of Minnesota to compel disclosure.

Attachment 1 contains instructions for completing the Questionnaire. A list of definitions of words used in the Questionnaire may be found in Attachment 2. Please review both attachments prior to answering the Questionnaire.

Questionnaire for Pig's Eye Dump/Fish Hatcheries Dump
and
Request for Production of Documents

1. Identify the full legal name, address and phone number of the business.
2. How many years has the business been in operation?
3. Identify the names and current addresses and telephone numbers of all current and past owner(s) of the business.
4. Identify all permits issued by federal, state, county, city or other governmental authorities which the business holds and the effective dates for such permits.
5. Did you haul garbage from businesses or industries to Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972?
6. Did you haul hazardous waste to Pig's Eye Dump/Fish Hatcheries Dump? Include a list of (a) the name and address of all companies and/or individuals the business transported hazardous waste for (b) the type of hazardous waste if known; (c) how the waste was transported; (d) quantity disposed per load; (e) the time period of transportation and disposal of the hazardous waste.
7. How was the garbage and/or hazardous waste picked up from businesses and industries stored (for example, in drums, barrels, dumpsters) for pick up?
8. Did the business ever pick up open or sealed, 55 gallon drums with unidentified contents? If so, please identify the companies and/or individuals names and addresses the drums were picked up from.
9. Identify a list of all business and industrial customers whose garbage and/or hazardous waste you hauled to Pig's Eye Dump/Fish Hatcheries Dump?
10. Identify all persons whom the business consulted in the preparation of the response to the Questionnaire, including their current addresses and telephone numbers and relationship to the business.
11. Identify any other persons who may be able to provide a more detailed or complete response to the Questionnaire or who may be able to provide additional relevant documents.
12. Identify the insurance carrier held by you or the business during the time period you or the business hauled garbage and/or hazardous waste to Pig's Eye Dump/Fish Hatcheries Dump. Provide the name and address of each insurer and of the insured, amount of coverage under each policy, commencement and expiration data, existence of a "pollution exclusion" clause, and coverage of sudden or nonsudden types of accidents. (In lieu of providing this information, you may submit complete copies of all relevant insurance policies.)

Attachment 1
Instructions for Questionnaire

1. Enclose with your response to the Questionnaire a notarized affidavit from you or an authorized official representing your business attesting to the fact (a) that a diligent search for records relevant to this Questionnaire has been completed and (b) that a diligent interview process has been conducted with present and former employees who may have knowledge of waste generation or other waste management practices at Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972. Any information that you provide in response to the Questionnaire that is based on your personal knowledge, or the personal knowledge of your employees, agents, or other representatives must be submitted in the form of a notarized affidavit.
2. Review the list of definitions in Attachment 2.
3. Make a separate written response to each question. Do not leave any blank questions.
4. Number each of your answers according to the corresponding numbered question. For each document produced in response to the Requirement to Provide Information, identify the number of the question to which it responds on the document or in some other reasonable manner.
5. In answering each question, identify all sources of information consulted in preparing the response.
6. You are required to respond to each question on the basis of any and all information and documents in your possession, custody, or control or the possession, custody, or control of your current or former employees, agents, or contractors, or other person who conducted business on your behalf. Furnish information that is available to you regardless of whether it is based on personal knowledge, and regardless of source.
7. Information necessary to adequately respond to a question may not be known or available on the date your response is submitted. If this is the case, you have a continuing duty to provide the information when it becomes known or available.
8. Respond in writing to each question even if information on which your answer is based has not been recorded in any particular document.
9. If any requested documents have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify (a) each document; (b) the person to whom it was transferred; and (c) the date of the transfer or disposal.
10. You have a duty to provide the requested information even if the information may be considered confidential or a trade secret. If you provide any information that relates to sales figures, processes or methods of production unique to your business, or information that would tend to affect adversely the competitive position of your business if generally known, you may certify this claim at the time you submit your response and the

Attachment 2
Definitions for Questionnaire

For the purpose of your answers to the Questionnaire, the following definitions shall apply:

1. HIGHLAND PARK SANITATION. "Highland Park Sanitation" includes any agent, subcontractor, or any other person who conducted or did business on behalf of "Highland Park Sanitation."

2. PIG'S EYE DUMP/FISH HATCHERIES DUMP. "Pig's Eye Dump/Fish Hatcheries Dump" means the property located 1/2 mile southeast of the intersection of Warner Road and Childs Road (an old report lists the address as 1150 Pig's Eye Lake Road), [Ramsey County, Section 10, T28N, R22W] and the property located at the intersection of Warner Road and Childs Road (an old report simply gives the address as Warner Road) [Ramsey County, Section 3, T28N, R22W], St. Paul, Minnesota.

3. YOU; BUSINESS. The terms "you" and "business," means the addressee of the Requirement to Provide Information.

4. DOCUMENT. "Document" means information preserved in any manner which is in the possession of or may be reasonably obtained by the addressee, including information in the possession of the addressee's directors, officers, shareholders, partners, managers, employees, subcontractors, trustees, successors, assigns, and agents, regardless of the location of the document or its classification as privileged or confidential. The term "document" includes but is not limited to the following: correspondence, contracts, agreements, memoranda, telegrams, reports, assignments, personnel records, record books, manifests, logs, scrap-books, diaries, minutes, plans, drawings, photographs, tapes, computer discs, invoices, checks, surveys and analyses.

-3-

(b) Any watercraft of any description, or other artificial contrivance used or capable of being used as a means of transportation on water; or

(c) Any site or area where a hazardous substance, or a pollutant or contaminant, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

"Facility" does not include any consumer product in consumer use.

10. HAZARDOUS SUBSTANCE. "Hazardous substance," as defined in Minnesota Statutes, Section 115B.02, subd. 8 (1990), means:

(a) Any commercial chemical designated pursuant to the Federal Water Pollution Control Act, under United States Code, title 33, section 1321 (b) (2) (A);

(b) Any hazardous air pollutant listed pursuant to the Clean Air Act, under United States Code, title 42, section 7412, and

(c) Any hazardous waste.

"Hazardous substance" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas, nor does it include petroleum, including crude oil or any fraction thereof which is not otherwise a hazardous waste.

11. HAZARDOUS WASTE. "hazardous waste," as defined in Minnesota Statutes, Section 115B.02, subdivision 9 (1990) means:

(a) Any hazardous waste as defined in section 116.06, subd. 13, and any substance identified as a hazardous waste pursuant to rules adopted by the agency under section 116.07; and

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dissolved material in domestic sewage or other common pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste, water effluents or discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended, dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by The Atomic Energy Act of 1954, as amended.

14. RELEASE. "Release," as defined in Minnesota Statutes, Section 115B.02, subdivision 15 (1990) means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment which occurred at a point in time or which continues to occur.

"Release" does not include:

(a) Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, watercraft, or pipeline pumping station engine;

(b) Release of source, by-product, or special nuclear material from a nuclear incident, as those terms are defined in The Atomic Energy Act of 1954, under United States Code, title 42, section 2014, if the release is subject to requirements with respect to financial protection established by the federal nuclear regulatory commission under United States Code, title 42, section 2210.

(c) Release of source, by-product or special nuclear material from any processing site designated pursuant to the Uranium Mill Tailings Radiation Control Act of 1978, under United States Code, title 42, section 7912(a) or 7942(a); or

(d) Any release resulting from the application of fertilizer or agricultural or silvicultural chemicals, or disposal of emptied pesticide containers or residues from a pesticide as defined in section 18A.21, subd. 25.



Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155-3898

Telephone (612) 296-6300

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

March 27, 1991

Highland Park Sanitation
1811 Century Avenue
Newport, Minnesota 55055

Dear Sir/Madam:

RE: Requirement To Provide Information
Pig's Eye Dump/Fish Hatcheries Dump

Ground Water & Solid Waste Division
Site Response Section

File Name

Sub File Name

Initial

On January 9, 1991, I wrote to you concerning the past disposal of wastes by Highland Park Sanitation at The Pig's Eye Dump/Fish Hatcheries Dump. My letter was received on January 10, 1991, by Susan Stewart. To date, no response has been received from Highland Park Sanitation nor have any time extensions been requested or granted.

As indicated in the Requirement to Provide Information pursuant to the Minnesota Environmental Response and Liability Act (MERLA) transmitted to you with my letter, Minnesota Statutes, Section 115B.17, Section 3 (1988) provides that:

Any person who the agency has reason to believe is responsible for a release or threatened release as provided in section 115B.03, or who is the owner of real property where the release or threatened release is located or where response actions are proposed to be taken, when requested by the agency, or any member, employee or agent thereof who is authorized by the agency, shall furnish to the agency any information which that person may have or may reasonably obtain which is relevant to the release or threatened release.

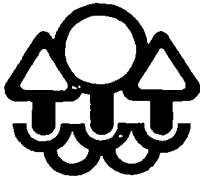
Please comply with the statutory requirements of MERLA. A full and complete response to the Requirement to Provide Information discussed above is requested within 30 calendar days of your receipt of this letter. If you have any questions regarding this letter or the Requirement to Provide Information and Questionnaire, please contact Cynthia Gaertner at (612) 296-2946, or myself at (612) 296-7227.

Sincerely,

Cathy O'Connell

Cathy O'Connell
Project Manager
Superfund Unit
Site Response Section
Ground Water and Solid Waste Division

CO:klm



Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155-3898

Telephone (612) 296-6300

02098

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

March 27, 1991

Highland Park Sanitation
1811 Century Avenue
Newport, Minnesota 55055

Dear Sir/Madam:

RE: Requirement To Provide Information
Pig's Eye Dump/Fish Hatcheries Dump

*We have never dumped
anywhere but the Pig's Eye
the NSP plant.*

RECEIVED

APR 03 91

MINN. Ground Water
Div

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Sincerely,

Cathy O'Connell

Cathy O'Connell
Project Manager
Superfund Unit
Site Response Section
Ground Water and Solid Waste Division

CO:kkn